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ABSTRACT

This student training module on worker benefits is one of the general work information modules developed for Pre-Apprenticeship Phase 1 Training. Rather than relating to a specific trade, this module is designed to impart to the student general knowledge of worker benefits needed by all workers and can be used in all the trade module series. This module contains a cover sheet listing module title, goal, and performance indicators; introduction; information sheets covering common work-place benefits; self-assessment; self-assessment answers; post assessment; and post-assessment answers for the instructor. Topics covered in the module include unemployment insurance, wage and hour laws, workers' compensation, and how to file for benefits. (KC)

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INDIVIDUALIZED LEARNING SYSTEMS

PRE-APPRENTICESHIP PHASE 1 TRAINING.

COMMON WORKER BENEFITS

C00183

CE032893

Goal:

Upon completion of this module, the student will be able to idenfity and explain the functions of the major types of assistance programs available and related filing procedures.

Performance Indicators:

The student will demonstrate his or her knowledge by successfully completing both a Self Assessment and a Post Assessment exam covering the functions and filing procedures for major common benefit programs.

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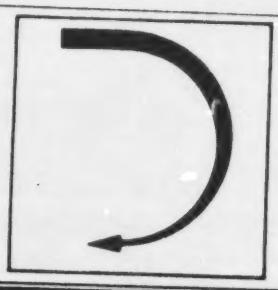
Introduction



It is hoped that each worker will find a job and maintain employment uninterrupted by lay-offs, wage disputes or accidents. Occasionally the apprentice will need to know about assistance that is available. Most significant assistance comes from unemployment insurance, wage and hour laws and workers compensation. If an interruption in your work occurs, you will need to know what form of assistance to seek and how to apply for it.

Information

UNEMPLOYMENT INSURANCE

Unemployment insurance began as a part of the Social Security Act of 1935 and provides an insurance policy to pay money to workers who are unemployed through no fault of their own and who are actively seeking work. It is intended to help workers who are laid off until they return to work. Unemployment insurance is designed to ease the transition from one job to another, especially when the change is caused by economic factors out of the worker's control. Leaving work without good cause (quitting, marital problems) may provide delays or invalidate your potential claim.

Unemployment insurance is paid by money collected through a payroll tax which is levied on all private employers. It is a percentage of the wages paid to all workers. In Oregon, the worker pays no part of the insurance premium, but he or she may in other states.

How much money you will receive, how soon it starts (if at all) and how long it continues depends on many factors. Benefits are based on earnings of the worker during a certain period of time called the base year, not on the needs of the worker. Generally, the higher the earnings, the higher the benefits will be up to set limits. Earnings above the maximum will not increase benefits. The reason(s) for your not working will determine your eligibility and/or any waiting periods before your benefits begin.

In order to request any benefits you must file a claim through the State employment office. Go to the nearest, most convenient office (listed in the phone book) and file a claim. You will need to know: 1) your employer's name and address, 2) your social security number, 3) your wage earnings for at least the last year and 4) your current address. You will be expected to be able and available to go back to work.

You will be given a report book, and a reporting date on which to return. On return visits you will fill out Form #357 (in Oregon) for each week covered by your claim. Based on information received in the initial filing request, a claim determination will be made. This determination will show your earnings during the covered "base" period, your weekly benefits and maximum benefits possible during the period of time you are eligible for benefits.

It may be marked "non valid," which means you are considered ineligible for benefits. Appeals hearings are available for nearly all contested findings, but you must seek them in writing yourself.

WAGE AND HOUR COMMISSION

In order to fully carry out wage and hour laws, both the Federal Department of Labor and the State Wage and Hour Division of the Bureau of Labor and Industry are available to workers for enforcement proceedings. They each have separate jurisdictions (who is covered by which agency) and will refer the worker accordingly to the correct agency.

The State's wage collection law directs the Wage and Hour Commission to investigate and attempt an equitable settlement of wage claims made by persons who have worked in the State.

The Commission oversees questions regarding 1) pay periods, 2) paydays, 3) final paydays, 4) payments in case of a dispute (and the settlement process), 5) methods of compensation and overtime, 6) minimum wage laws (State/Federal), 7) limitation of hours in certain industries and 8) the restrictions of employment of minors (under 18).

Questions arising from any of these areas should be directed to the nearest office of the wage and hour commission either by mail, or in person. You will be requested to fill out the appropriate claim form. You will need to know: 1) the dates of employment, 2) rate of pay, 3) reason for non-payment and 4) a close estimate of the balance of money due. A record of the claim will be made and a conference scheduled. The procedural steps required from here will be outlined to you. Claims for wages must be made within 6 years (within 2 years for overtime). You cannot be fired for filing such a claim.

Workman's Compensation is designed to pay for the expenses of work-related accidents, provide cash benefits for temporary periods off work due to work accidents or disease (time-loss benefits) and certain benefits if your are permanently disabled or killed. Medical costs are covered completely, while benefits are figured on a percentage of worker's earnings. Re-employment assistance is also available should you need it.

Your employer provides workers compensation insurance through a private company or SAIF. Currently, you contribute 8¢ (in Oregon) for each day worked as a payroll deduction to contribute to upgrading the benefits provided. This is above what your employer pays for insurance.

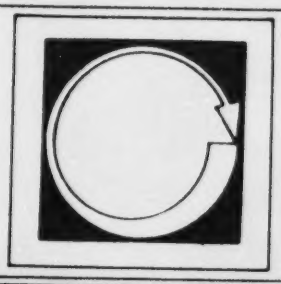
If you are injured on the job:

1. Immediately notify your employer and fill out form WCD 801 (in Oregon). You will receive a copy and your employer will file with the insurance company. If your employer does not file your claim, contact the Workman's Compensation Department (in person or by phone) and request a "Report of Occupational Injury or Disease."
2. Go to the doctor of your choice for treatment. You will need to know the <u>legal</u> "official" name of your employer and his or her insurance carrier. If you do not currently know this information, find it out, write it down and keep it with your records.

When a doctor has stated that your condition cannot be improved by further medical treatment, a determination will be made about how much your injury has affected your ability to work. A statement of benefits (if any) due you will be issued. A process for reconsidering these findings has been established if you disagree.

Should the condition resulting from your injury get worse, without another accident, your injury has become aggravated. If this occurs within 5 years, contact your employer's insurance company to reactivate your claim. If it occurs after 5 years of your notification of the outcome, contact the Worker's Compensation Board. Your claim never closes, but it may become inactive. It is very important to retain documents concerning your claim as a part of your personal records.

Self Assessment



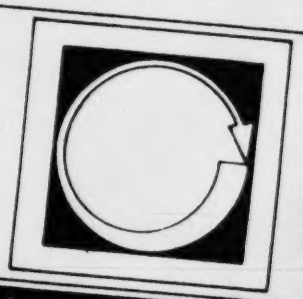
If the statement is true, place a T in the space provided; if the statement is false, place an F in the space.

1. ____ Oregon workers contribute towards unemployment insurance.
2. ____ The number of dependents a worker has affects the level of unemployment insurance benefits.
3. ____ Being able and available for work is necessary to collect unemployment benefits.
4. ____ Overtime pay issues are not considered by the Wage and Hour Commission.
5. ____ Hearings/appeals/reconsiderations will be arranged for you by the agencies.
6. ____ You may choose your own doctor for treatment for an on-the-job accident.
7. ____ Oregon workers contribute to workman's compensation programs.
8. ____ It is important to know your employer's full and legal name.
9. ____ Benefits available through unemployment insurance are not limited.
10. ____ Filing a claim guarantees the worker that he or she will receive benefit payments.

Self Assessment Answers

1. F
2. F
3. T
4. F
5. F
6. T
7. T
8. T
9. F
10. F

Post Assessment



Complete the statements or answer the questions below by writing the answer in the space provided.

1. The level of benefits for unemployment insurance is in part determined by wages earned during the _____ _____.

2. Money to be used for unemployment insurance benefits comes from what kind of tax? _____

3. Quitting your job may _____ (shorten/lengthen) the time before your benefits start.

4. Do Oregon workers currently contribute toward unemployment insurance benefits?

5. What are the four items of information you will need for filing a claim for unemployment insurance?
   a.
   b.
   c.
   d.

6. The Wage and Hour Commission oversees questions in many areas of concern to the worker. List three.
   a.
   b.
   c.

7. Are all the wage disputes handled by the State wage and hour commission?
   ___ yes ___ no

8. Does Workman's Compensation provide any unemployment assistance?
___yes ___no

9. Should you ever delay notifying your employer of an on-the-job accident?
___yes ___no

10. Are medical costs covered by Workman's Compensation for job-related accidents?
___yes ___no

11. Who do you contact if you injury is aggravated without a new accident during the first five years after the accident? After five years?

12. Does your claim ever become closed? ___yes ___no

Instructor Post Assessment Answers

1. base year

2. payroll tax

3. lengthen

4. no

5. a. employer's name and address
   b. your social security number
   c. your wage earnings for the previous year
   d. your current address

6. There are 8 possible to choose from listed in the module.

7. no

8. yes

9. no

10. yes

11. a. your employer's insurance carrier
    b. Worker's Compensation Department

12. no